UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/632/Add.2
17 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 114 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Report of the Third Committee (Part III)*

Rapporteur: Mrs. Rosa Carmina Recinos de MALDONADO (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled:

"Human rights questions:

"(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms"

and to allocate it to the Third Committee.

2. The Committee considered the item in conjunction with items 115 and 172 at its 36th to 55th meetings, on 17 to 19, 22 to 24, 26, 29 and 30 November and on 1, 3, 6 and 8 December. Item 114 (b) was also considered at the 56th to 58th meetings, on 13 and 16 December.** An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/48/SR.36-58).

3. For the documents before the Committee under this item, see document A/48/632.

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* The report of the Committee on item 114 will be issued in five parts (see A/48/632 and Add.1 and Add.3-4).

** See also A/48/632/Add.4.

4. At its 38th meeting, on 19 November, the Committee heard a statement by Mrs. Rigoberta Menchù, United Nations Goodwill Ambassador for the International Year of the World's Indigenous People, and Nobel Prize Laureate (see A/C.3/48/SR.38).

5. At the 40th meeting, on 23 November, the Assistant Secretary-General for Human Rights made an introductory statement (see A/C.3/48/SR.40).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/48/L.38

6. At the 50th meeting, on 3 December, the representative of Austria, on behalf of Afghanistan, Albania, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, the Gambia, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Lesotho, the Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, the Marshall Islands, Mexico, the Federated States of Micronesia, Morocco, Myanmar, Namibia, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, the Philippines, Poland, Portugal, Republic of Korea, Romania, the Russian Federation, Rwanda, Senegal, Singapore, Slovakia, Slovenia, the Solomon Islands, Spain, Sri Lanka, Suriname, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, the United States of America, Venezuela, Viet Nam, Yemen and Zambia, introduced a draft resolution entitled "World Conference on Human Rights" (A/C.3/48/L.38). Subsequently, Ecuador, Guinea, Honduras, Kyrgyzstan, Latvia, Mauritania, Monaco, Mongolia, Nepal, Papua New Guinea, the Republic of Moldova, the Sudan, Thailand, Uganda, the United Kingdom of Great Britain and Northern Ireland and Uruguay joined in sponsoring the draft resolution.

7. The Committee had before it a statement of the programme budget implications of draft resolution A/C.3/48/L.38, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/48/L.80).

8. At its 54th meeting, on 8 December, the Committee adopted draft resolution A/C.3/48/L.38 without a vote (see para. 88, draft resolution I).

B. Draft resolution A/C.3/48/L.42 and amendments thereto contained in document A/C.3/48/L.52

9. At the 50th meeting, on 3 December, the representative of Turkey, on behalf of Afghanistan, Albania, Algeria, Azerbaijan, Bosnia and Herzegovina, Colombia, Croatia, Cuba, Egypt, Guatemala, India, Kazakhstan, Kyrgyzstan, Morocco, Nigeria, Peru, the Republic of Korea, Sierra Leone, Sri Lanka, the Sudan, the former Yugoslav Republic of Macedonia, Tajikistan, Tunisia, Turkey and

Turkmenistan, introduced a draft resolution entitled "Human rights and terrorism" (A/C.3/48/L.42).

10. At the same meeting, the representative of Pakistan introduced amendments (A/C.3/48/L.52) to draft resolution A/C.3/48/L.42, by which:

(a) A new third preambular paragraph would be added, reading:

"Reaffirming the principles enunciated in its resolution 46/51 of 9 December 1991";

(b) A new operative paragraph 2 would be added, reading:

"2. Takes into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognizes the right of peoples to take any legitimate action, in accordance with the Charter of the United Nations, to realize their inalienable right of self-determination";

(c) A new operative paragraph would be added, reading:

"3. Considers the denial of the right of self-determination of the peoples under colonial or alien domination or foreign occupation as a violation of human rights, and underlines the importance of the effective realization of this right".

11. At the 52nd meeting, on 6 December, statements were made by the representatives of Turkey, the Syrian Arab Republic and Pakistan (see A/C.3/48/SR.52).

12. At the 53rd meeting, on 6 December, the representative of Turkey stated that, as a result of informal consultations, the sponsors of the amendments to draft resolution A/C.3/48/L.42 contained in document A/C.3/48/L.52 had agreed not to press their amendments (see A/C.3/48/SR.53).

13. Before the adoption of the draft resolution, the representatives of the Syrian Arab Republic and the United States of America made statements (see A/C.3/48/SR.53).

14. At the same meeting, the Committee adopted draft resolution A/C.3/48/L.42 without a vote (see para. 88, draft resolution II).

15. After the adoption of the draft resolution, the representatives of Belgium (on behalf of the European Union), Sweden, Canada, Pakistan and Israel made statements (see A/C.3/48/SR.53).

C. Draft resolution A/C.3/48/L.43

16. At the 50th meeting, on 3 December, the representative of Cuba, on behalf of Algeria, Angola, the Central African Republic, Cuba, the Democratic People's Republic of Korea, the Gambia, India, the Islamic Republic of Iran, Iraq, the

Lao People's Democratic Republic, Mexico, Namibia, Nigeria, Peru, Sierra Leone, the Sudan, Uganda, Viet Nam, Yemen, Zambia and Zimbabwe, introduced a draft resolution entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" (A/C.3/48/L.43).

17. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.43 by a recorded vote of 99 to 36, with 20 abstentions (see para. 88, draft resolution III). The voting was as follows: 1/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Belarus, Bolivia, Bosnia and Herzegovina, Cambodia, Estonia, Fiji, Georgia, Kazakhstan, Latvia, Lithuania, Marshal Islands, Micronesia (Federated States of), New Zealand, Panama, Republic of Korea, Russian Federation, Slovakia, Slovenia, Turkey.

18. After the adoption of the draft resolution, the representatives of Belgium (on behalf of the European Union), Colombia and Finland (on behalf of the Nordic countries) made statements (see A/C.3/48/SR.52).

1/ Subsequently, the delegations of Bolivia and the Gambia indicated that they had intended to vote in favour, and the delegation of Ukraine indicated that it had intended to abstain.

D. Draft resolution A/C.3/48/L.44

19. At the 50th meeting, on 3 December, the representative of Cuba, on behalf of China, Cuba, the Democratic People's Republic of Korea, the Gambia, the Lao People's Democratic Republic, Namibia, the Sudan, the United Republic of Tanzania, Viet Nam and Zimbabwe, introduced a draft resolution entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes" (A/C.3/48/L.44).

20. In introducing the draft resolution, the representative of Cuba orally corrected it by replacing the words "resolution 46/130 of 17 December 1991" with the words "resolution 47/130 of 18 December 1992" in the tenth preambular paragraph.

21. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.44, as orally corrected, by a recorded vote of 86 to 52, with 18 abstentions (see para. 88, draft resolution IV). The voting was as follows: 2/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chad, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Gambia, Ghana, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Qatar, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Tajikistan, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

2/ Subsequently, the delegation of Guyana indicated that it had intended to vote in favour, and the delegation of Belarus indicated that it had intended to vote against.

Abstaining: Belize, Bolivia, Chile, Costa Rica, El Salvador, Fiji, Georgia, Guyana, Jamaica, Micronesia (Federated States of), Nicaragua, Paraguay, Philippines, Samoa, Solomon Islands, Turkmenistan, Uruguay, Zambia.

22. After the adoption of the draft resolution, statements were made by the representatives of Argentina, Belgium (on behalf of the European Union), Costa Rica and Chile (see A/C.3/48/SR.52).

E. Draft resolution A/C.3/48/L.45

23. At the 50th meeting, on 3 December, the representative of Cuba, on behalf of Bangladesh, China, Cuba, the Democratic People's Republic of Korea, Gabon, the Gambia, Ghana, Indonesia, the Islamic Republic of Iran, Iraq, the Lao People's Democratic Republic, Malaysia, Mexico, Namibia, Nigeria, Pakistan, Peru, the Sudan, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity" (A/C.3/48/L.45). Subsequently, Afghanistan and Mozambique joined in sponsoring the draft resolution.

24. At the same meeting, the representative of Australia orally amended the draft resolution by replacing the words "in particular" before the words "the special rapporteurs" with the words "as well as" in operative paragraph 6.

25. At the 52nd meeting, on 6 December, the representative of Cuba made a statement (see A/C.3/48/SR.52).

26. At the same meeting, the Committee adopted draft resolution A/C.3/48/L.45, as orally amended, without a vote (see para. 88, draft resolution V).

27. After the adoption of the draft resolution, statements were made by the representatives of Chile, Sweden (on behalf of the Nordic countries) and Costa Rica (see A/C.3/48/SR.52).

F. Draft resolution A/C.3/48/L.46

28. At the 50th meeting, on 3 December, the representative of Turkey, on behalf of Afghanistan, Albania, Algeria, Argentina, Austria, Azerbaijan, Belarus, Chile, the Comoros, Costa Rica, the Czech Republic, the Dominican Republic, Egypt, Guinea, India, Indonesia, Kyrgyzstan, Lebanon, Mauritania, Mauritius, Morocco, Pakistan, Peru, the Philippines, the Republic of Korea, Romania, the Russian Federation, Senegal, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey and Ukraine, introduced a draft resolution entitled "United Nations year for tolerance" (A/C.3/48/L.46).

29. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.46 without a vote (see para. 88, draft resolution VI).

G. Draft resolution A/C.3/48/L.47

30. At the 50th meeting, on 3 December, the representative of Costa Rica, on behalf of Angola, Cameroon, Chile, Costa Rica, Côte d'Ivoire, the Dominican Republic, Ethiopia, the Gambia, Guatemala, Malawi, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Nigeria, the Philippines, Poland, Senegal, Sierra Leone and Slovenia, introduced a draft resolution A/C.3/48/L.47 entitled "Human rights education decade" (A/C.3/48/L.47). Subsequently, Cyprus and Uganda joined in sponsoring the draft resolution.

31. In introducing the draft resolution, the representative of Costa Rica orally revised the fourth preambular paragraph by replacing the words "children, women, indigenous peoples, minorities, the disabled and others" with the words "children, women, youths, persons with disabilities, the ageing, indigenous people, minorities and other groups".

32. At the same meeting, the representative of Côte d'Ivoire made a statement (see A/C.3/48/SR.50).

33. At the 52nd meeting, on 6 December, the representative of Costa Rica further orally revised the draft resolution by replacing operative paragraph 4, which read:

> "4. Requests the Commission on Human Rights, to consider in cooperation with Member States, human rights treaty-monitoring bodies and appropriate bodies and appropriate non-governmental organizations, proposals for a United Nations decade for human rights education and to submit, through the Economic and Social Council, a plan of action for such a decade, to be proclaimed by the General Assembly at its forty-ninth session"

with the following text:

> "4. Requests the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to consider proposals for a United Nations decade for human rights education, which should be incorporated by the Secretary-General into a plan of action for such a decade and submitted, through the Economic and Social Council, to the General Assembly at its forty-ninth session with a view to the proclamation of a decade for human rights education".

34. At the same meeting, statements were made by the representatives of Uganda, Brazil, Kenya, Barbados, France, Ecuador, Mexico, Colombia, Bolivia and the United States of America (see A/C.3/48/SR.52).

35. Also at the same meeting, the Committee adopted draft resolution A/C.3/48/L.47, as orally revised, without a vote (see para. 88, draft resolution VII).

H. Draft resolution A/C.3/48/L.48

36. At the 50th meeting, on 3 December, the representative of Ireland, on behalf of Albania, Argentina, Australia, Austria, the Bahamas, Belarus, Belgium, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Morocco, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, the Russian Federation, San Marino, Sierra Leone, Slovenia, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela, introduced a draft resolution entitled "Elimination of all forms of religious intolerance" (A/C.3/48/L.48). Subsequently, Honduras joined in sponsoring the draft resolution.

37. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.48 without a vote (see para. 88, draft resolution VIII).

I. Draft resolution A/C.3/48/L.49

38. At the 53rd meeting, on 6 December, the representative of Greece, on behalf of Afghanistan, Albania, Argentina, Armenia, Australia, Austria, the Bahamas, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Canada, the Central African Republic, Chad, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Ethiopia, Finland, France, the Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Indonesia, Ireland, Italy, Lesotho, Luxembourg, Madagascar, Malta, the Marshall Islands, Mauritania, Mauritius, Monaco, Morocco, Namibia, Nepal, the Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, the United Republic of Tanzania, Uruguay and Venezuela, introduced a draft resolution entitled "Strengthening of the Centre for Human Rights of the Secretariat" (A/C.3/48/L.49). Subsequently, Andorra, Latvia, Liechtenstein, Tajikistan and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

39. At the same meeting, the representative of Cuba made a statement (see A/C.3/48/SR.53).

40. At the 54th meeting, on 8 December, the Secretary of the Committee made a statement on the programme budget implications of the draft resolution (see A/C.3/48/SR.54).

41. At the same meeting, the Chairman read out a revision to the draft resolution by which the words "without diverting resources from development programmes and activities of the United Nations" were added at the end of operative paragraph 6.

42. At the same meeting, statements were made by the representatives of Cuba, Greece, Costa Rica, Uganda, the Netherlands, Ireland, Kenya, Singapore, Chile, Belgium, Egypt, the Libyan Arab Jamahiriya, Cameroon, Canada, Algeria, Hungary, Monaco, China, India, Sri Lanka, Australia, the United States of America, Malaysia, Mauritania, New Zealand, Argentina and Bulgaria (see A/C.3/48/SR.54).

43. Also at the same meeting, the representative of Greece further orally revised operative paragraph 6 of the draft resolution by replacing the words "additional resources from the regular budget" with the words "appropriate additional resources from within the existing and future regular budgets of the United Nations".

44. Also at the 54th meeting, the representative of Chile made a statement (see A/C.3/48/SR.54).

45. At the same meeting, the Chairman made a statement (see A/C.3/48/SR.54).

46. Also at the same meeting, the Committee adopted draft resolution A/C.3/48/L.49, as orally revised without a vote (see para. 88, draft resolution IX).

47. After the adoption of the draft resolution, statements were made by the representatives of Uganda, Japan, Malawi and Cuba (see A/C.3/48/SR.54).

J. Draft resolution A/C.3/48/L.50

48. At the 50th meeting, on 3 December, the representative of Indonesia, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Brazil, China, Costa Rica, Denmark, the Dominican Republic, France, Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Mexico, Norway, Spain and Uruguay, introduced a draft resolution entitled "Right to development" (A/C.3/48/L.50).

49. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.50 without a vote (see para. 88, draft resolution X).

50. After the adoption of the draft resolution, statements were made by the representatives of the Niger and the United States of America (see A/C.3/48/SR.52).

K. Draft resolution A/C.3/48/L.54

51. At the 50th meeting, on 3 December, the representative of Australia, on behalf of Antigua and Barbuda, Australia, the Bahamas, Barbados, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Fiji, the Gambia, Greece, Grenada, Guatemala, Guyana, Jamaica, the Marshall Islands, Mexico, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, the Philippines, Sierra Leone, Suriname and Trinidad and Tobago, introduced a draft resolution entitled "International Decade of the

World's Indigenous People" (A/C.3/48/L.54). Subsequently, Chile joined in sponsoring the draft resolution.

52. In introducing the draft resolution, the representative of Australia orally revised operative paragraph 9 by adding the words "with Governments and in partnership with indigenous people" after the words "to consider" and replacing the words "taking fully into account through appropriate channels the views of indigenous people" with the words "through appropriate channels".

53. At its 54th meeting, on 8 December, the Committee adopted draft resolution A/C.3/48/L.54, as orally revised, without a vote (see para. 88, draft resolution XI).

54. After the adoption of the draft resolution, statements were made by the representatives of Bangladesh and China (see A/C.3/48/SR.54).

L. Draft resolution A/C.3/48/L.55

55. At the 50th meeting, on 3 December, the representative of the United States of America, on behalf of Albania, Argentina, Armenia, Australia, Belgium, Bulgaria, Canada, the Central African Republic, Chad, Costa Rica, Cyprus, the Czech Republic, Denmark, Ethiopia, Finland, the Gambia, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malawi, the Netherlands, Nicaragua, Norway, Panama, Poland, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, San Marino, Slovakia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yemen introduced a draft resolution entitled "Enhancing the effectiveness of the principle of periodic and genuine elections" (A/C.3/48/L.55.

56. At the 52nd meeting, on 6 December, statements were made by the representatives of Cuba, China and the United States of America (see A/C.3/48/SR.52).

57. At the same meeting, the Committee took action on draft resolution A/C.3/48/L.55 as follows:

(a) Operative paragraph 3 was adopted by a recorded vote of 129 to 5, with 13 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho,

Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia, Zimbabwe.

Against: China, Cuba, Democratic People's Republic of Korea, Iraq, Myanmar.

Abstaining: Djibouti, El Salvador, Fiji, Guinea-Bissau, Honduras, Malaysia, Philippines, Solomon Islands, Sudan, Syrian Arab Republic, Thailand, Uganda, Viet Nam.

(b) Operative paragraph 4 was adopted by a recorded vote of 129 to 5, with 14 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia, Zimbabwe.

Against: China, Cuba, Democratic People's Republic of Korea, Iraq, Myanmar.

Abstaining: Djibouti, El Salvador, Fiji, Guinea, Honduras, Lesotho, Malaysia, Philippines, Solomon Islands, Sudan, Syrian Arab Republic, Thailand, Uganda, Viet Nam.

(c) Draft resolution A/C.3/48/L.55, as a whole, was adopted by a recorded vote of 138 to 1, with 15 abstentions (see para. 88, draft resolution XII). The voting was as follows: 3/

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia.

Against: Cuba.

Abstaining: China, Democratic People's Republic of Korea, El Salvador, Fiji, Iraq, Myanmar, Namibia, Philippines, Solomon Islands, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe.

58. After the adoption of the draft resolution the representatives of Germany and Guyana made statements (see A/C.3/48/SR.52).

3/ Subsequently, the delegation of Cameroon indicated that, had it been present, it would have voted in favour.

M. Draft resolution A/C.3/48/L.56

59. At the 50th meeting, on 3 December, the representative of Brazil, on behalf of Argentina, Australia, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, France, the Gambia, Georgia, Malawi, Norway, Peru, the Philippines, the Russian Federation, Senegal, Uruguay and Venezuela, introduced a draft resolution entitled "Strengthening of the rule of law" (A/C.3/48/L.56). Subsequently, Andorra, Belarus, Bolivia, Cambodia, Chad, Côte d'Ivoire, Denmark, the Dominican Republic, Guatemala, Guinea, Guinea-Bissau, Honduras, India, Japan, Kyrgyzstan, Morocco, Nepal, Nicaragua, Pakistan, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, the Sudan, Togo, Uganda, and Ukraine joined in sponsoring the draft resolution.

60. At its 52nd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.56 without a vote (see para. 88, draft resolution XIII).

61. After the adoption of the draft resolution, the representative of France made a statement (see A/C.3/48/SR.52).

N. Draft resolution A/C.3/48/L.60

62. At the 50th meeting, on 3 December, the representative of Canada, on behalf of Antigua and Barbuda, Australia, the Bahamas, Bolivia, Canada, Chile, Colombia, Costa Rica, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, Finland, Greece, Guatemala, Guyana, Hungary, Mexico, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, the Philippines, the Russian Federation, Senegal, Slovenia, Sweden and Trinidad and Tobago, introduced a draft resolution entitled "International Year of the World's Indigenous People, 1993" (A/C.3/48/L.60).

63. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.60 without a vote (see para. 88, draft resolution XIV).

64. After the adoption of the draft resolution, the representatives of India and Brazil made statements (see A/C.3/48/SR.53).

O. Draft resolution A/C.3/48/L.63

65. At the 50th meeting, on 3 December, the representative of India, on behalf of Australia, Belarus, Costa Rica, Cyprus, France, the Gambia, Guatemala, India, Mongolia, Morocco, New Zealand, Nigeria, Peru, the Russian Federation, Ukraine, and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "National institutions for the promotion and protection of human rights" (A/C.3/48/L.63). Subsequently, Cameroon, Colombia, Guyana, the Philippines and Senegal joined in sponsoring the draft resolution.

66. In introducing the draft resolution, the representative of India orally revised the last preambular paragraph by adding the words "emphasizing the universality, indivisibility and interdependence of all human rights" after the words "at the national level".

67. At its 53rd meeting, on 6 December, the Committee adopted draft resolution, A/C.3/48/L.63 as orally revised, without a vote (see para. 88, draft resolution XV).

68. After the adoption of the draft resolution, the representative of Norway (on behalf of the Nordic countries) made a statement (see A/C.3/48/SR.53).

P. Draft resolution A/C.3/48/L.64

69. At the 50th meeting, on 3 December, the representative of Norway, on behalf of Afghanistan, Argentina, Australia, Austria, Azerbaijan, Belarus, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark, Finland, France, the Gambia, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Italy, Lesotho, Mozambique, Namibia, Norway, Peru, Poland, the Russian Federation, the Sudan, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia, introduced a draft resolution entitled "Internally displaced persons" (A/C.3/48/L.64). Subsequently, Angola, Canada, Ethiopia, Honduras, Rwanda and Slovakia joined in sponsoring the draft resolution.

70. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.64 without a vote (see para. 88, draft resolution XVI).

Q. Draft resolution A/C.3/48/L.66

71. At the 50th meeting, on 3 December, the representative of Belgium, on behalf of Armenia, Australia, Austria, Belarus, Belgium, Benin, Botswana, Bolivia, Burkina Faso, Cameroon, Canada, the Central African Republic, Chad, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, the Dominican Republic, Ethiopia, Finland, France, Gabon, the Gambia, Germany, Ghana, Greece, Guinea-Bissau, Haiti, Iceland, Ireland, Italy, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, the Marshall Islands, Mexico, Mongolia, Morocco, the Netherlands, New Zealand, Norway, Peru, the Philippines, Portugal, the Russian Federation, Rwanda, Senegal, Sierra Leone, Slovenia, Spain, Swaziland, Sweden, Togo, Turkey, Ukraine, Uruguay and the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution entitled "Plight of street children" (A/C.3/48/L.66). Subsequently, Afghanistan, Andorra, Angola, Cambodia, Guinea, Guyana, Honduras, India, Iraq, Jamaica, Monaco, Namibia, Nepal, Nicaragua, the Niger, Pakistan, the Republic of Moldova and Thailand also joined in sponsoring the draft resolution.

72. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.66 without a vote (see para. 88, draft resolution XVII).

R. Draft resolution A/C.3/48/L.69

73. At the 50th meeting, on 3 December, the representative of Austria, on behalf of Argentina, Australia, Austria, Belgium, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Ethiopia, Finland, France, the Gambia, Germany, Hungary, Iceland, Italy, Lesotho, Liechtenstein, New Zealand, Nigeria, Norway, Poland, Rwanda, San Marino, Slovenia, Spain, Sweden and the United Republic of Tanzania, introduced a draft resolution entitled "Human rights in the administration of justice" (A/C.3/48/L.69). Subsequently, Albania, Andorra, Nicaragua, Senegal and Uganda joined in sponsoring the draft resolution.

74. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.69 without a vote (see para. 88, draft resolution XVIII).

S. Draft resolution A/C.3/48/L.71

75. At the 51st meeting, on 3 December, the representative of Austria, on behalf of Albania, Argentina, Armenia, Australia, Austria, Belarus, Benin, Bosnia and Herzegovina, Canada, Croatia, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, the Gambia, Georgia, Greece, Guatemala, Hungary, Italy, Liechtenstein, Lithuania, Malawi, Morocco, the Netherlands, Norway, Poland, the Republic of Korea, the Russian Federation, Rwanda, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and Uruguay, introduced a draft resolution entitled "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" (A/C.3/48/L.71). Subsequently, Costa Rica, Iceland, India, Kyrgyzstan, Guinea-Bissau, Latvia, Nepal, Senegal and the United States of America joined in sponsoring the draft resolution.

76. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.71 without a vote (see para. 88, draft resolution XIX).

77. After the adoption of the draft resolution, statements were made by the representatives of Turkey and Georgia (see A/C.3/48/SR.53).

T. Draft resolution A/C.3/48/L.76

78. At the 51st meeting, on 3 December, the representative of Canada, on behalf of Albania, Australia, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Finland, France, the Gambia, Germany, Hungary, Ireland, Italy, Japan, Jordan, Luxembourg, the Netherlands, New Zealand, Nigeria, the Philippines, Poland, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Human rights and mass exoduses" (A/C.3/48/L.76).

79. At its 53rd meeting, on 6 December, the Committee adopted draft resolution A/C.3/48/L.76 without a vote (see para. 88, draft resolution XX).

80. After the adoption of the draft resolution, the representative of India made a statement (see A/C.3/48/SR.53).

U. Draft resolution A/C.3/48/L.77

81. At the 51st meeting, on 3 December, the representative of Belarus, on behalf of Argentina, Austria, Belarus, Belgium, Chile, Costa Rica, France, Guatemala, Madagascar, Monaco, Poland and Senegal introduced a draft resolution entitled "Human rights and scientific and technological progress" (A/C.3/48/L.77) Subsequently, Andorra joined in sponsoring the draft resolution.

82. At the same meeting, the representative of Belarus made a statement (see A/C.3/48/SR.51).

83. At the 55th meeting, on 8 December, statements were made by the representatives of Belarus, India, Senegal and Cuba (see A/C.3/48/SR.55).

84. At the 56th meeting, on 13 December, the representative of Belarus made oral revisions to the draft resolution as follows:

(a) In the eighth preambular paragraph, the words "and that illicit dumping of toxic and dangerous products and waste potentially constitutes a serious threat to the human rights, the life and health of everyone" were added at the end of the paragraph;

(b) In the eleventh preambular paragraph, the words "to ensure their use in favour of economic and social progress for all" were replaced with the words "that their use in favour of economic and social progress be to the benefit of all";

(c) In operative paragraph 2, the words "that is, inter alia, measures against the illicit dumping of toxic and dangerous products and waste" were added at the end of the paragraph;

(d) Operative paragraph 3, which read:

> "3. Emphasizes that scientific knowledge and technology in health, education, housing and other social spheres should be readily available to the populations as the heritage of humanity"

was replaced with the following text:

> "3. Emphasizes the fact that many advances in scientific knowledge and technology in health, education, housing and other social spheres should be readily available to the populations as the heritage of humanity, with a view to sustainable development, taking into account the need to protect intellectual property rights".

85. At the same meeting, the representative of Ireland proposed an amendment to preambular the eighth preambular paragraph, whereby the words "dangerous products" would be replaced with the words "dangerous substances" (see para. 84 (c) above).

86. Also at the same meeting, statements were made by the representatives of Barbados, the Bahamas, Algeria and Chile (see A/C.3/48/SR.56).

87. Also at its 56th meeting, the Committee adopted draft resolution A/C.3/48/L.77, as orally revised and amended, without a vote (see para. 88, draft resolution XXI).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

88. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

World Conference on Human Rights

The General Assembly,

Recalling its resolutions 45/155 of 18 December 1990, in which it decided, inter alia, to convene at a high level a World Conference on Human Rights in 1993, 46/116 of 17 December 1991 and 47/122 of 18 December 1992,

Taking note with appreciation of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 4/

Recalling the view of the Conference that the promotion and protection of human rights is a matter of priority for the international community,

Convinced that the Conference made an important contribution to the cause of human rights and that its results have to be translated into effective action by States, the competent organs of the United Nations and its family of organizations and other organizations concerned, as well as non-governmental organizations,

Bearing in mind the recommendation of the Conference that the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights consider ways and means for the full implementation, without delay, of the recommendations contained in the Vienna Declaration and Programme of Action,

Expressing its gratitude to the Government and people of Austria for acting as hosts to the World Conference on Human Rights, for the excellent arrangements and for the hospitality extended to all participants,

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4/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1933 (A/CONF.157/24 (Part I)), chap. III.

Expressing its appreciation to the Secretary-General of the United Nations, the Secretary-General of the Conference and the members of the Secretariat for effectively preparing and servicing the Conference,

1. Takes note of the report of the World Conference on Human Rights; 5/

2. Endorses the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights;

3. Expresses its satisfaction with the work of the Conference, which constitutes a solid foundation for further action and initiatives by the United Nations and other interested international bodies, as well as by the States and national organizations concerned;

4. Confirms the views of the Conference on the urgency of eliminating denials and violations of human rights;

5. Requests the Secretary-General to ensure the distribution of the Vienna Declaration and Programme of Action as widely as possible and to include the text of the Declaration in the next edition of Human Rights: A Compilation of International Instruments;

6. Also requests the Secretary-General to transmit to the competent organs of the United Nations and the specialized agencies the Vienna Declaration and Programme of Action;

7. Urges all States to give widespread publicity to the Vienna Declaration and Programme of Action and the work of the Conference in order to promote increased awareness of human rights and fundamental freedoms;

8. Calls upon all States to take further action with a view to the full realization of human rights in the light of the recommendations of the Conference;

9. Requests the Secretary-General, the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all recommendations of the Conference;

10. Also requests the Secretary-General to report annually to the General Assembly on the measures taken and the progress achieved in the implementation of the recommendations;

11. Decides to include in the agenda of its forthcoming sessions, under the item entitled "Human rights questions", a standing sub-item entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action".

5/ A/CONF.157/24 (Part I).

DRAFT RESOLUTION II

Human rights and terrorism

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 6/ and the International Covenants on Human Rights, 7/

Bearing in mind that the most essential and basic human right is the right to life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights held at Vienna from 14 to 15 June 1993, 4/

Reiterating that all Member States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and the illegal traffic in arms and drugs,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

1. Unequivocally condemns all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomever committed, as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

2. Calls upon States, in accordance with international standards of human rights, to take all necessary and effective measures to prevent, combat and eliminate terrorism;

6/ Resolution 217 A (III).

7/ Resolution 2200 A (XXI), annex.

3. Urges the international community to enhance cooperation in the fight against the threat of terrorism at national, regional and international levels;

4. Requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations;

5. Decides to consider this question at its forty-ninth session under the item entitled "Human rights questions".

DRAFT RESOLUTION III

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also the purposes and principles of the Charter to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights 6/ and of the International Covenants on Human Rights 7/ in promoting respect for and observance of human rights and fundamental freedoms,

Recalling its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Noting with concern that many of the principles enunciated in its resolution 32/130 have not yet been taken into consideration by the international community with all the necessary dynamism and objectivity,

Emphasizing the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development, contained in the annex to its resolution 41/128 of 4 December 1986,

Reaffirming that the implementation of the right to development is an indispensable element in the process of creating the appropriate conditions for

the full enjoyment and preservation of all human rights and fundamental liberties,

Taking into account the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, 8/

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that, today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that cooperation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Reiterating that, in order to ensure the full implementation of the right to development, the international cooperation should be conducive to an improvement of relations among States as well as to their commitment to refrain from conditioning their economic assistance to developing countries,

Considering that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms in accordance with the provisions and ideas set forth in General Assembly resolution 32/130;

8/ See A/47/675-S/24816.

2. Affirms that a primary aim of international cooperation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. Reaffirms that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights;

4. Reiterates once again that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of General Assembly resolution 32/130, paying due attention also to other situations of violations of human rights;

5. Notes that the questions mentioned in paragraph 4 of the present resolution were discussed during the World Conference on Human Rights held at Vienna from 14 to 25 June 1993 and are referred to in the Vienna Declaration 4/ as obstacles still prevailing to the achievement of further progress in the field of human rights;

6. Reaffirms that the right to development is an inalienable human right;

7. Reaffirms also that international peace and security are essential elements for achieving the full realization of the right to development;

8. Recognizes that all human rights and fundamental freedoms are indivisible and interdependent;

9. Considers it necessary for all Member States to promote international cooperation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

10. Urges all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

11. Also urges all States to promote international cooperation which contributes to the enhancement of the promotion and preservation of human rights, unbiased by any political motivation or condition whatsoever;

12. Decides that the approaches to future work within the United Nations system on human rights matters should take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

13. Decides to consider this question at its forty-ninth session.

DRAFT RESOLUTION IV

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Also recalling its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Further recalling the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and for liberation from colonial domination and apartheid, and for the establishment of a society in which the people, irrespective of race, colour or creed, will fully enjoy political and other rights on a basis of equality and participate freely in the determination of their destiny,

Also reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full popular participation in electoral processes corresponds to States,

Recalling its resolutions in this regard, in particular resolution 47/130 of 18 December 1992,

Welcoming the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in which the Conference reaffirmed that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full popular participation in those processes;

3. Also reaffirms that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that are intended to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Further reaffirms that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in each case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems;

6. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. Reiterates that only the total eradication of apartheid and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of universal suffrage, can lead to a just and lasting solution to the situation in South Africa;

9. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly of the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without interference;

10. Calls upon the Commission on Human Rights at its fiftieth session to continue giving priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-ninth session, through the Economic and Social Council;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution, under the item entitled "Human rights questions".

DRAFT RESOLUTION V

Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women and of nations large and small, and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal

rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 6/ the International Covenants on Human Rights 7/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming its resolutions 45/163 of 18 December 1990, 46/129 of 17 December 1991 and 47/131 of 18 December 1992,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Taking into account Commission on Human Rights resolution 1993/59 of 9 March 1993, 9/

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandate,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken

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9/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, 7/ the International Covenant on Civil and Political Rights 7/ and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve

further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Requests the Commission on Human Rights, at its fiftieth session, to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1993/59;

11. Decides to consider this matter at its forty-ninth session under the item entitled "Human rights questions".

DRAFT RESOLUTION VI

United Nations Year for Tolerance

The General Assembly,

Recalling that the Charter of the United Nations affirms in its preamble that to practise tolerance is one of the principles to be applied to attain the ends pursued by the United Nations of preventing war and maintaining peace,

Recalling also that one of the purposes of the United Nations as set forth in the Charter is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Mindful of the Universal Declaration of Human Rights 6/ and of the International Covenants on Human Rights, 7/

Bearing in mind the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Convinced that tolerance - the recognition and appreciation of others, the ability to live together with and to listen to others - is the sound foundation of any civil society and of peace,

Recalling its resolution 47/124 of 18 December 1992, in which, inter alia, it invited the Economic and Social Council to consider at its session of 1993 the question of proclaiming 1995 the United Nations year for tolerance and to transmit a recommendation to the General Assembly at its forty-eighth session,

Recalling also resolution 5.6 of the General Conference of the United Nations Educational, Scientific and Cultural Organization, concerning the proclamation of 1995 as the United Nations year for tolerance, 10/

10/ See United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Twenty-sixth Session, vol. 1: Resolutions.

Taking note of Economic and Social Council resolution 1993/57 of 29 July 1993, in which the Council recommended that the General Assembly, at its forty-eighth session, proclaim 1995 the United Nations year for tolerance,

Taking into account the note by the Secretary-General, 11/

Bearing in mind its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning guidelines for international years and anniversaries,

Noting that the preparation of the United Nations year for tolerance will not involve any financial implications for the United Nations,

1. Proclaims 1995 the United Nations Year for Tolerance;

2. Recommends that the specialized agencies, regional commissions and other organizations of the United Nations system consider in their respective forums the contributions they could make to the success of the United Nations Year for Tolerance;

3. Invites the United Nations Educational, Scientific and Cultural Organization to assume the role of lead organization for the United Nations Year for Tolerance;

4. Calls upon all Member States to cooperate with the United Nations Educational, Scientific and Cultural Organization in the preparation of the national and international programmes for the United Nations Year for Tolerance and to participate actively in the implementation of the activities to be organized within the framework of the Year;

5. Invites interested intergovernmental and non-governmental organizations to exert efforts in their respective fields to contribute adequately to the preparation of programmes for the United Nations Year for Tolerance;

6. Requests the United Nations Educational, Scientific and Cultural Organization to prepare, in accordance with its General Conference resolution 5.6, a declaration on tolerance;

7. Decides to include in the provisional agenda of its forty-ninth session an item entitled "Preparation and organization of the United Nations Year for Tolerance".

11/ A/48/210-E/1993/89.

DRAFT RESOLUTION VII

Human rights education decade

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 6/

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Recalling the provisions of other international human rights instruments, such as article 13 of the International Covenant on Economic, Social and Cultural Rights 7/ and article 20 of the Convention on the Rights of the Child, 12/ that reflect the aims of the aforementioned article,

Convinced that human rights education is a universal priority in that it contributes to a concept of development consistent with the dignity of the human person, which must include consideration of the diversity of groups such as children, women, youths, persons with disabilities, the ageing, indigenous people, minorities and other groups,

Aware that human rights education involves more than providing information but rather is a comprehensive life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect within a democratic society,

Taking into account the efforts made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organisation and the United Nations Children's Fund, to promote education in accordance with the aforementioned principles,

Considering the World Plan of Action on Education for Human Rights and Democracy, adopted by the International Congress on Education for Human Rights and Democracy, convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, according to which "education for human rights and democracy is itself a human right, and a prerequisite for the realization of human rights, democracy and social justice",

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

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12/ Resolution 44/25, annex.

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, 9/ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

Bearing in mind the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights at Vienna on 25 June 1993, in particular paragraphs 78 to 82,

1. Appeals to all Governments to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

2. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Vienna Declaration and Programme of Action;

3. Notes the plan of action presented to the International Congress on Education for Human Rights and Democracy, and recommends that Governments and non-governmental organizations consider that plan in preparing national plans for human rights education;

4. Requests the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to consider proposals for a United Nations decade for human rights education, which should be incorporated by the Secretary-General into a plan of action for such a decade and submitted, through the Economic and Social Council, to the General Assembly at its forty-ninth session with a view to the proclamation of a decade for human rights education;

5. Requests the Secretary-General to consider the establishment of a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the United Nations Secretariat;

6. Invites the specialized agencies and United Nations programmes to develop suitable activities in their respective fields of competence to further the objectives of human rights education;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, and to intergovernmental and non-governmental organizations concerned with human rights and education;

8. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate

with the Centre for Human Rights in preparing for a United Nations decade for human rights education;

9. Urges the existing human rights monitoring bodies to place particular emphasis on the implementation by Member States of their international obligation to promote human rights education;

10. Decides to consider this matter at its forty-ninth session under the item entitled "Human rights questions".

DRAFT RESOLUTION VIII

Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves in the Charter of the United Nations to promote and encourage universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that those rights derive from the inherent dignity of the human person,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 47/129 of 18 December 1992, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Recalling also Commission on Human Rights resolution 1993/25 of 5 March 1993, 9/

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,

Recalling Commission on Human Rights resolution 1992/17 of 21 February 1992 13/ and Economic and Social Council decision 1992/226 of 20 July 1992, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate was extended for three years,

Welcoming the appointment of Mr. Abdelfattah Amor as Special Rapporteur of the Commission on Human Rights, and calling on all Governments to cooperate with the Special Rapporteur to enable him to carry out his mandate fully,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Alarmed that serious instances, including acts of violence, of intolerance and discrimination on the grounds of religion or belief occur in many parts of the world, as evidenced in the report of the former Special Rapporteur of the Commission on Human Rights, Mr. Angelo Vidal d'Almeida Ribeiro,

Reaffirming the dismay and condemnation expressed by the World Conference on Human Rights at the continued occurrence of gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights, including religious intolerance,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide full guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

13/ Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

3. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

4. Urges all States therefore to take all appropriate measures to combat hatred, intolerance and acts of violence, including those motivated by religious extremism, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Also urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

6. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for those purposes;

7. Also calls upon all States in accordance with their national legislation to exert utmost efforts to ensure that religious places and shrines are fully respected and protected;

8. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

9. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by the United Nations information centres, as well as by other interested bodies;

10. Encourages the continuing efforts on the part of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

11. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

12. Recommends that the promotion and protection of the right to freedom of thought, conscience and religion be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights, including work on the drafting of basic legal texts in conformity with international instruments on human rights and taking into account the provisions of the Declaration;

13. Notes with interest the adoption by the Human Rights Committee of a general comment on article 18 of the International Covenant on Civil and Political Rights, 7/ dealing with freedom of thought, conscience and religion;

14. Welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration;

15. Requests the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

16. Urges all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

17. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

18. Decides to consider the question of the elimination of all forms of religious intolerance at its forty-ninth session under the item entitled "Human rights questions".

DRAFT RESOLUTION IX

Strengthening of the Centre for Human Rights of the Secretariat

The General Assembly,

Recalling its resolutions 44/135 of 15 December 1989, 45/180 of 21 December 1990, 46/118 and 46/111 of 17 December 1991, and 47/127 of 18 December 1992, and bearing in mind all relevant resolutions of the Economic and Social Council and the Commission on Human Rights,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the United Nations enshrined in the Charter of the United Nations and of high importance to the Organization,

Recalling that the Vienna Declaration and Programme of Action 4/ stresses the importance of strengthening the Centre for Human Rights,

Recalling also that the Secretary-General, in his reports on the work of the Organization for 1992 14/ and 1993, 15/ stated that "the Charter of

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14/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1), para. 100.

15/ A/48/1.

the United Nations places the promotion of human rights as one of our priority objectives, along with promoting development and preserving international peace and security", and that "in the course of 1993, the activities of the Centre for Human Rights at Geneva underwent a significant expansion in the five main areas of its work",

Noting that the difficult financial situation of the Centre for Human Rights of the Secretariat has created considerable obstacles in implementing the various procedures and mechanisms, negatively influenced the servicing by the Secretariat of the bodies concerned and impaired the quality and precision of the reporting,

1. Supports the efforts of the Secretary-General to enhance the role and importance of the Centre for Human Rights of the Secretariat as the coordinating unit within the United Nations system of bodies dealing with the promotion and the protection of human rights;

2. Requests the Secretary-General to make additional proposals to increase further the resources of the human rights programme in 1994-1995, so as to enable the Centre for Human Rights fully to discharge its duties in implementing all the mandates assigned to it by the General Assembly and other legislative bodies;

3. Welcomes the recommendations of the World Conference on Human Rights concerning the strengthening of the Centre for Human Rights, as contained in the Vienna Declaration and Programme of Action;

4. Takes note of the conclusion of the Committee for Programme and Coordination on the proposed programme budget 1994-1995 in which it recommends the approval of the programme narratives of section 21 of the proposed programme budget for the biennium 1994-1995;

5. Takes note also of the statement in the report of the Secretary-General on the implications of organizational changes 16/ that he would propose to use the remaining vacant posts now available in the Secretariat in the light of new initiatives and emerging mandates and priorities;

6. Requests the Secretary-General and Member States to ensure that appropriate additional resources from within the existing and future regular budgets of the United Nations are accorded to the Centre for Human Rights to enable it to carry out, in full and on time, the mandates contained in the Vienna Declaration and Programme of Action without diverting resources from development programmes and activities of the United Nations;

7. Also requests the Secretary-General to submit an interim report to the Commission on Human Rights at its fiftieth session and a final report to the General Assembly at its forty-ninth session on the strengthening of the Centre for Human Rights and on the measures taken to implement the present resolution.

16/ See A/C.5/47/2 and Corr.1, para. 23.

DRAFT RESOLUTION X

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 17/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991 and 47/123 of 18 December 1992, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1993/22 of 4 March 1993, 9/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 18/

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 19/

Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights entered a new phase at its forty-ninth session in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development, and welcoming, in this regard, the establishment of a working group on the right to development by the Commission on Human Rights at its forty-ninth session,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, examined the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy those rights as set out in the International Covenants on Human Rights, 7/

17/ Resolution 41/128, annex.

18/ E/CN.4/1990/Rev.1.

19/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigendum), vol I: Resolutions adopted by the Conference, resolution 1, annex I.

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Welcoming the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights, which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

Having considered the comprehensive report of the Secretary-General prepared pursuant to resolution 47/123, 20/

1. Reaffirms the importance of the right to development for all countries, in particular the developing countries;

2. Takes note with interest of the comprehensive report of the Secretary-General prepared in accordance with General Assembly resolution 47/123; 20/

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fiftieth session concrete proposals on the effective implementation and promotion of the Declaration on the Right to Development, taking into account the views expressed on the issue at the forty-ninth session of the Commission as well as any further comments and recommendations that may be submitted on the basis of paragraph 10 of Commission resolution 1993/22;

4. Takes note with appreciation of the convening of the first meeting of the Working Group on the Right to Development from 8 to 19 November 1993 at Geneva;

5. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration;

6. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to enhance their cooperation in its application;

7. Also urges the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representatives of non-governmental and grass-roots organizations for the purpose of seeking agreements for the implementation of the Declaration through international cooperation;

8. Requests the Secretary-General to inform the Commission on Human Rights at its fiftieth session and the General Assembly at its forty-ninth session of the activities of the organizations, programmes and agencies of the United Nations system for the implementation of the Declaration;

20/ E/CN.4/1993/16.

9. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the report of the Working Group on the Right to Development;

10. Notes with satisfaction the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

11. Decides to consider this question at its forty-ninth session under the item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION XI

International Decade of the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as set forth in its Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling its resolution 45/164 of 18 December 1990, in which it proclaimed 1993 as the International Year of the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous people in the areas, inter alia, of human rights, the environment, development, education and health,

Acknowledging the significance of the Year in raising international awareness of the contribution of, and problems faced by, indigenous people throughout the world, and aware of the need to build on the results and lessons of the Year,

Recognizing the importance of consulting with indigenous people, the need for financial support from the international community, including support from within the United Nations system and the specialized agencies, the need for a strategic planning framework and the need for adequate coordination and communication channels,

Expressing its appreciation of the work undertaken by the Coordinator of the Year, the Centre for Human Rights, the Goodwill Ambassador,

Ms. Rigoberta Menchu, and the Working Group on Indigenous Populations of the Commission on Human Rights,

Recognizing the value and the diversity of the cultures and the forms of social organization of the world's indigenous people,

Welcoming the report of the United Nations Conference on Environment and Development, 21/ in which the vital role of indigenous people and their communities in the interrelationship between the natural environment and its sustainable development is recognized, including their holistic traditional scientific knowledge of their lands, natural resources and environment,

Recognizing the importance of considering the establishment of a permanent forum for indigenous people in the framework of an international decade,

Noting the recommendations included in the Vienna Declaration and Programme of Action 4/ adopted by the World Conference on Human Rights to proclaim an international decade of the world's indigenous people, to begin from 1994, including action-oriented programmes to be decided upon in partnership with indigenous people,

1. Proclaims the International Decade of the World's Indigenous People, commencing on 10 December 1994, the period from 1 January to 9 December 1994 to be set aside for planning for the Decade in partnership with indigenous people;

2. Decides that the goal of the Decade should be the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health;

3. Also decides that, beginning in the first year of the Decade, one day of every year shall be observed as the International Day of Indigenous People;

4. Requests the Commission on Human Rights, at its fiftieth session, to invite the Working Group on Indigenous Populations to identify at its next session an appropriate date for this purpose;

5. Requests the Secretary-General to appoint the Assistant Secretary-General for Human Rights as the Coordinator of the Decade;

6. Requests the Coordinator to coordinate the programme of activities for the Decade in full collaboration and consultation with Governments, competent bodies, the International Labour Organization and other specialized agencies of the United Nations, and indigenous and non-governmental organizations;

21/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda).

7. Requests competent United Nations bodies and specialized agencies to designate focal points for coordination with the Centre for Human Rights of activities related to the Decade;

8. Invites Governments to ensure that activities and objectives for the Decade are planned and implemented on the basis of full consultation and collaboration with indigenous people;

9. Requests specialized agencies, regional commissions and other organizations of the United Nations system to consider with Governments and in partnership with indigenous people how they can contribute to the success of the Decade, through appropriate channels, and to transmit their recommendations to the Economic and Social Council;

10. Appeals to the specialized agencies, regional commissions, financial and development institutions and other relevant organizations of the United Nations system to increase their efforts to take into special account the needs of indigenous people in their budgeting and in their programming;

11. Invites indigenous organizations and other interested non-governmental organizations to consider the contributions they can make to the success of the Decade, with a view to presenting them to the Working Group on Indigenous Populations;

12. Requests the Commission on Human Rights to ask the Working Group on Indigenous Populations to identify possible programmes and projects in connection with the Decade and to submit them through the Subcommission on Prevention of Discrimination and Protection of Minorities to the Commission for its consideration;

13. Recommends that adequate human and financial resources be made available to the Centre for Human Rights in support of its activities related to indigenous people, within the overall framework of strengthening its activities envisaged in the Vienna Declaration and Programme of Action;

14. Requests the Secretary-General to establish a Voluntary Fund for the Decade, and authorizes him to accept and administer voluntary contributions from Governments, intergovernmental and, non-governmental organizations and other private institutions and individuals for the purpose of funding projects and programmes during the Decade;

15. Urges Governments and intergovernmental and non-governmental organizations and invites indigenous organizations to contribute to the Voluntary Fund for the Decade to be established by the Secretary-General;

16. Invites Governments, competent United Nations bodies and specialized agencies and other intergovernmental institutions, including financial institutions, to consider providing additional resources to finance the attachment of suitable staff, including indigenous staff, to the Centre for Human Rights on a regionally balanced basis;

17. Encourages Governments to establish national committees or other more permanent structures involving indigenous representatives to plan activities for the Decade;

18. Requests that the meeting to be convened in accordance with General Assembly resolution 46/128 to review the International Year of the World's Indigenous People also consider preparations for the Decade, giving full participation to indigenous people, particularly with regard to the elaboration of a detailed plan of action, including an evaluation mechanism, and the establishment of a funding plan for the Decade, and that the meeting report to the Working Group on Indigenous Populations;

19. Urges the competent United Nations organs, programmes and specialized agencies, in planning activities for the Decade, to examine how existing programmes and resources might be utilized to benefit indigenous people more effectively, including through the exploration of ways in which indigenous perspectives and activities can be included or enhanced;

20. Requests the Commission on Human Rights at its fiftieth session to give priority consideration to the establishment of a permanent forum for indigenous people in the United Nations system;

21. Requests the Secretary-General to give all the assistance necessary to ensure the success of the Decade;

22. Also requests the Secretary-General to submit a preliminary report to it at its forty-ninth session and a final report at its fiftieth session on a comprehensive programme of action for the Decade;

23. Decides to include in the provisional agenda of its forty-ninth session an item entitled "Programme of activities of the International Decade of the World's Indigenous People".

DRAFT RESOLUTION XII

Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989, 45/150 of 18 December 1990, and especially 46/137 of 17 December 1991 and 47/138 of 18 December 1992, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989, 22/

Recalling also the Vienna Declaration and Programme of Action, especially the recognition therein that assistance provided upon the request of Governments

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22/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals; 23/

Reaffirming that electoral assistance is provided only at the specific request of the Member State concerned,

Having considered the report of the Secretary-General, 24/

Noting the high level of requests for electoral assistance by Member States,

1. Takes note with appreciation of the report of the Secretary-General 24/ on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. Commends the electoral assistance provided to Member States at their request by the Organization, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Unit to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. Requests that the Organization attempt to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Recommends that the United Nations, in order to ensure the continuation and consolidation of the democratization process in Member States requesting assistance, provide assistance before and after elections have taken place, including needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process;

5. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation and the establishment by the Administrator of the United Nations Development Programme of a separate fund, the Trust Fund for Technical Assistance to Electoral Processes, and calls upon Member States to consider contributing to the Funds;

23/ A/CONF/157/24 (Part I), chap. III, sect. II, para. 67.

24/ A/47/668 and Add.1.

6. Stresses the importance of coordination by the focal point within the United Nations system, commends the Centre for Human Rights of the Secretariat for the advisory services and technical assistance it provides and the Department for Policy Coordination and Sustainable Development of the Secretariat and the United Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the focal point to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, and with the Department for Policy Coordination and Sustainable Development and the United Nations Development Programme, and inform them of requests presented in the area of electoral assistance;

7. Recommends that the Organization continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

8. Requests the Secretary-General to provide the Electoral Assistance Unit with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate;

9. Also requests the Secretary-General to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to answer, in close coordination with the Electoral Assistance Unit, the increasing number of requests from Member States for advisory services in the area of electoral assistance;

10. Recommends that, on the basis of the guidelines proposed in his report 24/ and on the basis of experience acquired over the last two years, the Secretary-General provide a revised set of guidelines for consideration at its next session;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of its resolution 47/138 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on the validity of the guidelines in the light of experience.

DRAFT RESOLUTION XIII

Strengthening of the rule of law

The General Assembly,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language and religion is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights, 6/ Member States have pledged themselves to achieve, in cooperation with

the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced also that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Aware of the need for the implementation of strengthened advisory services and technical assistance activities in the field of human rights,

Mindful of the significant role played by national institutions in the promotion and protection of universally recognized human rights and fundamental freedoms in their respective countries,

Convinced that the Centre for Human Rights should play an important role in coordinating system-wide attention for human rights,

Recalling Commission on Human Rights resolutions 1992/51 of 3 March 1992 and 1993/50 of 9 March 1993, both entitled "Strengthening of the rule of law",

Noting with appreciation that the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights on 25 June 1993, recommended that priority be given to national and international action to promote democracy, development and human rights,

1. Endorses the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights of the Secretariat, with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law; 25/

2. Expresses its conviction that such a programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the good functioning of the rule of law;

3. Requests the Secretary-General, in accordance with the recommendation contained in section II, paragraph 70, of the Vienna Declaration and Programme of Action, 4/ to submit concrete proposals to the General Assembly at its forty-ninth session containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme, taking into

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25/ A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

account existing programmes and activities already undertaken by the Centre for Human Rights;

4. Requests the Commission on Human Rights to remain actively seized of this question, with a view to further elaborating the outline of the proposed programme;

5. Decides to continue its consideration of this question at its forty-ninth session in the light of the proposals of the Secretary-General.

DRAFT RESOLUTION XIV

International Year of the World's Indigenous People, 1993

The General Assembly,

Bearing in mind that one of the purposes of the United Nations set forth in the Charter is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without discrimination as to sex, race, language or religion,

Recognizing and respecting the value and the diversity of cultures, as well as the cultural heritage and the forms of social organization of the world's indigenous people,

Recalling its resolution 45/164 of 18 December 1990, in which it proclaimed 1993 the International Year of the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health,

Conscious of the need to improve the economic, social and cultural situation of the indigenous people with full respect for their distinctiveness and their own initiatives,

Appreciative of the contributions made to the Voluntary Fund for the Year opened by the Secretary-General,

Noting the establishment of the fund for the development of indigenous peoples of Latin America and the Caribbean as one kind of support for the objectives of the Year,

Noting the recommendation of the World Conference on Human Rights, held at Vienna from 14 tc 25 June 1993, that an International Decade of the World's Indigenous People should be proclaimed, 26/

26/ Ibid., chap. III, sect. II, para. 32.

Noting also the need to continue strengthening the initiatives taken as a result of the Year,

Reiterating its request that the Subcommission on Prevention of Discrimination and Protection of Minorities complete its consideration of the draft universal declaration on the rights of indigenous peoples,

1. Calls upon the United Nations system and Governments that have not yet done so to develop policies in support of the objectives and the theme of the International Year of the World's Indigenous People and to strengthen the institutional framework for their implementation;

2. Recommends to all thematic rapporteurs, special representatives, independent experts and working groups that they pay particular attention, within the framework of their mandates, to the situation of indigenous people;

3. Urges the Assistant Secretary-General for Human Rights to continue to solicit actively the cooperation of specialized agencies, regional commissions, financial and development institutions and other relevant organizations of the United Nations system for the promotion of a programme of activities in support of the objectives and the theme of the Year;

4. Appeals to the specialized agencies, regional commissions and financial and development institutions of the United Nations system to continue to increase their efforts to take into special account the needs of indigenous people in their budgeting and in their programming;

5. Requests:

(a) That reports of the three technical meetings, first provided for in paragraph 8 of General Assembly resolution 46/128 of 17 December 1991, be included in the final assessment proceedings provided for in paragraph 12 of the same resolution and that their conclusions be included in the report of the Coordinator for the International Year of the World's Indigenous People to the General Assembly at its forty-ninth session;

(b) That the Commission on Human Rights convene, from within existing resources, a meeting of participating parties in the programmes and projects of the Year, in the three days preceding the twelfth session of the Working Group on Indigenous Populations, to report to the Working Group on the conclusions that can be drawn from the activities of the Year for the elaboration of a detailed plan of action and the establishment of a funding plan for an International Decade of the World's Indigenous People;

6. Stresses the relevance for the solution of problems faced by indigenous communities of the recommendations contained in chapter 26 of Agenda 21, 27/ including their implementation;

27/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigendum), vol. I: Resolutions adopted by the Conference.

7. Notes with satisfaction the holding at Manila of a Global Youth Earth-saving Summit, or "Global Yes", which by its reaffirmation of the role of traditional cultures in the preservation of the environment underscored the right to cultural survival;

8. Welcomes the proposal for a follow-up gathering of indigenous youth in 1995, an "Indigenous Youth Cultural Olympics", flowing from the Year, to be held in conjunction with the International Decade of the World's Indigenous People and the fiftieth anniversary of the United Nations, to reaffirm the value of traditional cultures, folk arts and rituals as effective expressions of respective national identities and as a foundation for a shared vision for peace, freedom and equality;

9. Stresses that the governmental and intergovernmental activities undertaken within the context of the Year and beyond should take fully into account the development needs of indigenous people and that the Year should contribute to enhancing and facilitating the coordination capabilities of Member States for collecting and analysing information;

10. Notes that there is a continuing need within the United Nations system to aggregate data specific to indigenous people by means of enhancing and facilitating the coordination capabilities of Member States for collecting and analysing such data;

11. Requests the Subcommission on Prevention of Discrimination and Protection of Minorities, at its forty-sixth session, to complete its consideration of the draft universal Declaration on the rights of indigenous peoples and to submit its report to the Commission on Human Rights at its fifty-first session;

12. Requests the Coordinator of the International Year of the World's Indigenous People, in the report to the General Assembly at its forty-ninth session on the activities developed and the results achieved within the context of the Year, to include an account of the response of the United Nations system to the needs of indigenous people;

13. Expresses its appreciation of the work undertaken for the International Year of the World's Indigenous People by Governments, the Coordinator of the Year, the International Labour Organization, the Goodwill Ambassador, Ms. Rigoberta Menchu Tum, indigenous and non-governmental organizations, the Commission on Human Rights and the Working Group on Indigenous Populations.

DRAFT RESOLUTION XV

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions concerning national institutions for the protection and promotion of human rights, notably its resolutions 41/129 of 4 December 1986 and 46/124 of 17 December 1991 and Commission on Human Rights resolutions 1987/40 of 10 March 1987, 1988/72 of 10 March 1988, 1989/52 of 7 March 1989, 1990/73 of 7 March 1990, 1991/27 of 5 March 1991, 1992/54 of 3 March 1992 and 1993/55 of 9 March 1993,

Emphasizing the importance of the Universal Declaration of Human Rights, 6/ the International Covenants on Human Rights 7/ and other international instruments for promoting respect for, and observance of, human rights and fundamental freedoms,

Affirming that priority should be accorded to the development of appropriate arrangements at the national level to ensure the effective implementation of international human rights standards,

Convinced of the significant role that institutions at the national level can play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations can play a catalytic role in assisting the development of national institutions by acting as a clearing-house for the exchange of information and experience,

Mindful in this regard of the guidelines on the structure and functioning of national and local institutions for the protection and promotion of human rights endorsed by the General Assembly in its resolution 33/46 of 14 December 1978,

Welcoming the growing interest shown worldwide in the creation and strengthening of national institutions expressed during the Regional Preparatory Meeting for Africa for the World Conference on Human Rights, held at Tunis from 2 to 6 November 1992, the Regional Preparatory Meeting for Latin America and the Caribbean for the Preparatory Conference, held at San José from 18 to 22 January 1993, the Regional Preparatory Meeting for Asia for the Conference, held at Bangkok from 29 March to 2 April 1993, the Commonwealth Workshop on National Human Rights Institutions, held at Ottawa from 30 September to 2 October 1992 and the Workshop for the Asia and Pacific Region on Human Rights Issues, held at Jakarta from 26 to 28 January 1993, and manifested in the decisions announced recently by several Member States to establish national institutions for the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action, 4/ in which was reaffirmed the important and constructive role played by national institutions for the promotion and protection of human rights, in particular in their

advisory capacity to the competent authorities, their role in remedying human rights violations, in the dissemination of human rights information, and education in human rights,

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches to promoting universal respect for, and observance of, human rights and fundamental freedoms,

1. Takes note with satisfaction of the updated report of the Secretary-General on national institutions for the protection and promotion of human rights, prepared in accordance with General Assembly resolution 44/64 of 8 December 1989;

2. Reaffirms the importance of developing, in accordance with national legislation, effective national institutions for the promotion and protection of human rights and of ensuring the pluralism of their membership and their independence;

3. Encourages Member States to establish or, where they already exist, to strengthen national institutions for the protection and promotion of human rights and to incorporate those elements in national development plans;

4. Also encourages national institutions for the promotion and protection of human rights established by Member States to prevent and combat all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

5. Requests the Centre for Human Rights of the Secretariat to continue its efforts to enhance cooperation between the United Nations and national institutions, particularly in the field of advisory services and technical assistance and of information and education, including within the framework of the world public information campaign for human rights;

6. Also requests the Centre for Human Rights to establish, upon the request of States concerned, United Nations centres for human rights documentation and training, and to do so on the basis of established procedures for the use of available resources within the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights;

7. Requests the Secretary-General to respond favourably to requests from Member States for assistance in the establishment and strengthening of national institutions for the protection and promotion of human rights as part of the programme of advisory services and technical cooperation in the field of human rights, as well as national centres for human rights documentation and training;

8. Encourages all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

9. Affirms the role of national institutions as agencies for the dissemination of human rights materials and other public information activities prepared or organized under the auspices of the United Nations;

10. Welcomes the organization under the auspices of the Centre for Human Rights of a follow-up meeting at Tunis in December 1993 with a view, in particular, to examining ways and means to promote technical assistance for the cooperation and strengthening of national institutions, and to continue to examine all issues relating to the question of national institutions;

11. Welcomes the Principles relating to the status of national institutions, annexed to the present resolution;

12. Encourages the establishment and strengthening of national institutions having regard to these principles and recognizing that it is the right of each State to choose the framework which is best suited to its particular needs at the national level;

13. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Annex

Principles relating to the status of national institutions

Competence and responsibilities

1. A national institution shall be vested with competence to promote and protect human rights.

2. A national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text, specifying its composition and its sphere of competence.

3. A national institution shall, inter alia, have the following responsibilities:

(a) To submit to the Government, Parliament and any other competent body, on an advisory basis either at the request of the authorities concerned or through the exercise of its power to hear a matter without higher referral, opinions, recommendations, proposals and reports on any matters concerning the promotion and protection of human rights; the national institution may decide to publicize them; these opinions, recommendations, proposals and reports, as well as any prerogative of the national institution, shall relate to the following areas:

(i) Any legislative or administrative provisions, as well as provisions relating to judicial organizations, intended to preserve and extend the protection of human rights; in that connection, the national institution shall examine the legislation and administrative

provisions in force, as well as bills and proposals, and shall make such recommendations as it deems appropriate in order to ensure that these provisions conform to the fundamental principles of human rights; it shall, if necessary, recommend the adoption of new legislation, the amendment of legislation in force and the adoption or amendment of administrative measures;

(ii) Any situation of violation of human rights which it decides to take up;

(iii) The preparation of reports on the national situation with regard to human rights in general, and on more specific matters;

(iv) Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations and, where necessary, expressing an opinion on the positions and reactions of the Government;

(b) To promote and ensure the harmonization of national legislation regulations and practices with the international human rights instruments to which the State is a party, and their effective implementation;

(c) To encourage ratification of the above-mentioned instruments or accession to those instruments, and to ensure their implementation;

(d) To contribute to the reports which States are required to submit to United Nations bodies and committees, and to regional institutions, pursuant to their treaty obligations and, where necessary, to express an opinion on the subject, with due respect for their independence;

(e) To cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the promotion and protection of human rights;

(f) To assist in the formulation of programmes for the teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles;

(g) To publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

Composition and guarantees of independence and pluralism

1. The composition of the national institution and the appointment of its members, whether by means of an election or otherwise, shall be established in accordance with a procedure which affords all necessary guarantees to ensure the pluralist representation of the social forces (of civilian society) involved in

the promotion and protection of human rights, particularly by powers which will enable effective cooperation to be established with, or through the presence of, representatives of:

(a) Non-governmental organizations responsible for human rights and efforts to combat racial discrimination, trade unions, concerned social and professional organizations, for example, associations of lawyers, doctors, journalists and eminent scientists;

(b) Trends in philosophical or religious thought;

(c) Universities and qualified experts;

(d) Parliament;

(e) Government departments (if they are included, these representatives should participate in the deliberations only in an advisory capacity).

2. The national institution shall have an infrastructure which is suited to the smooth conduct of its activities, in particular adequate funding. The purpose of this funding should be to enable it to have its own staff and premises, in order to be independent of the Government and not be subject to financial control which might affect its independence.

3. In order to ensure a stable mandate for the members of the institution, without which there can be no real independence, their appointment shall be effected by an official act which shall establish the specific duration of the mandate. This mandate may be renewable, provided that the pluralism of the institution's membership is ensured.

Methods of operation

Within the framework of its operation, the national institution shall:

(a) Freely consider any questions falling within its competence, whether they are submitted by the Government or taken up by it without referral to a higher authority, on the proposal of its members or of any petitioner;

(b) Hear any person and obtain any information and any documents necessary for assessing situations falling within its competence;

(c) Address public opinion directly or through any press organ, particularly in order to publicize its opinions and recommendations;

(d) Meet on a regular basis and whenever necessary in the presence of all its members after they have been duly convened;

(e) Establish working groups from among its members as necessary, and set up local or regional sections to assist it in discharging its functions;

(f) Maintain consultation with the other bodies, whether jurisdictional or otherwise, responsible for the promotion and protection of human rights (in particular ombudsmen, mediators and similar institutions);

(g) In view of the fundamental role played by the non-governmental organizations in expanding the work of the national institutions, develop relations with the non-governmental organizations devoted to promoting and protecting human rights, to economic and social development, to combating racism, to protecting particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or to specialized areas.

Additional principles concerning the status of commissions with quasi-jurisdictional competence

A national institution may be authorized to hear and consider complaints and petitions concerning individual situations. Cases may be brought before it by individuals, their representatives, third parties, non-governmental organizations, associations of trade unions or any other representative organizations. In such circumstances, and without prejudice to the principles stated above concerning the other powers of the commissions, the functions entrusted to them may be based on the following principles:

(a) Seeking an amicable settlement through conciliation or, within the limits prescribed by the law, through binding decisions or, where necessary, on the basis of confidentiality;

(b) Informing the party who filed the petition of his rights, in particular the remedies available to him, and promoting his access to them;

(c) Hearing any complaints or petitions or transmitting them to any other competent authority within the limits prescribed by the law;

(d) Making recommendations to the competent authorities, especially by proposing amendments or reforms of the laws, regulations and administrative practices, especially if they have created the difficulties encountered by the persons filing the petitions in order to assert their rights.

DRAFT RESOLUTION XVI

Internally displaced persons

The General Assembly,

Deeply disturbed by the large number of internally displaced persons throughout the world, and conscious of the serious problem this is creating for the international community,

Recalling the relevant norms of international human rights instruments as well as of international humanitarian law,

Conscious of the human rights as well as the humanitarian dimensions of the problem of internally displaced persons,

Conscious also of the need for the United Nations system to comprehensively gather information on the issues of the protection of the human rights of and assistance to internally displaced persons,

Welcoming the initiative of the Commission on Human Rights on this question and, in particular, its resolution 1992/73 of 5 March 1992, by which it requested the Secretary-General to appoint a representative to study the human rights issues related to internally displaced persons, and Commission resolution 1993/95 of 11 March 1993, by which it requested the Secretary-General to mandate his representative for two years to continue his work aimed at a better understanding of the problems faced by internally displaced persons and their possible long-term solutions,

Recalling the Vienna Declaration and Programme of Action, 4/ which calls for a comprehensive approach by the international community with regard to refugees and displaced persons,

Welcoming the support provided to the representative of the Secretary-General by the Office of the United Nations High Commissioner for Refugees, the Department for Humanitarian Affairs of the Secretariat and other intergovernmental and non-governmental organizations,

Welcoming also the decision by the Executive Committee of the Office of the United Nations High Commissioner for Refugees to extend, on a case-by-case basis and under specific circumstances, protection and assistance to the internally displaced,

Recalling the comprehensive study of the representative of the Secretary-General to the Commission on Human Rights 28/ and the useful suggestions and recommendations contained therein,

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons; 29/

2. Encourages the representative, through dialogue with Governments, to continue his review of the needs for international protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms;

3. Invites the representative to present suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing effective protection of and assistance to internally displaced persons;

28/ E/CN.4/1993/35, annex.

29/ A/48/579, annex.

4. Calls upon all Governments to continue to facilitate the activities of the representative, encourages them to give serious consideration to inviting the representative to visit their countries, so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

5. Urges all concerned United Nations agencies and organizations to provide all possible assistance and support to the representative in the implementation of his programme of activities;

6. Decides to continue its consideration of this question at its fiftieth session.

DRAFT RESOLUTION XVII

Plight of street children

The General Assembly,

Recalling its resolution 47/126 of 18 December 1992,

Recalling also Commission on Human Rights resolution 1993/81 of 10 March 1993, 9/

Welcoming the special attention given to the rights of children by the World Conference on Human Rights, and in particular part I, paragraph 21, of the Vienna Declaration and Programme of Action, 4/

Recalling the Convention on the Rights of the Child 30/ as a major contribution to the protection of the rights of all children, including street children,

Reaffirming that children are a particularly vulnerable section of society whose rights require special protection and that children living under especially difficult circumstances, such as street children, deserve special attention, protection and assistance from their families and communities and as part of national efforts and international cooperation,

Recognizing that all children have the right to health, shelter and education, to an adequate standard of living and to freedom from violence and harassment,

Deeply concerned about the growing number of street children worldwide and the squalid conditions in which these children are often forced to live,

Profoundly concerned that the killing of and violence against street children threatens the most fundamental right of all, the right to life,

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30/ Resolution 44/25, annex.

Alarmed at continuing serious offences of this nature against street children,

Recognizing the responsibility of Governments to investigate all cases of offences against children and to punish offenders,

Recognizing also that legislation per se is not enough to prevent violations of human rights, including those of street children, and that Governments should implement their laws and complement legislative measures with effective action, inter alia, in the fields of law enforcement and in the administration of justice,

Welcoming the efforts made by some Governments to take effective action to address the question of street children,

Welcoming also the publicity given to and the increased awareness of the plight of street children, and the achievements of non-governmental organizations in promoting their rights and in providing practical assistance to improve their situation, and expressing its appreciation of their continued efforts,

Welcoming further the valuable work of the United Nations Children's Fund and its National Committees in reducing the suffering of street children,

Noting with appreciation the important work carried out in this field by the United Nations, in particular the Committee on the Rights of the Child, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the United Nations International Drug Control Programme,

Bearing in mind the diverse causes of the emergence and marginalization of street children, including poverty, rural-to-urban migration, unemployment, broken families, intolerance and exploitation, and that such causes are often aggravated and their solution made more difficult by serious socio-economic difficulties,

Bearing in mind that the Vienna Declaration and Programme of Action urged all States, with the support of international cooperation, to address the acute problem of children in especially difficult circumstances and that national and international mechanisms and programmes should be strengthened for the defence and protection of children, including street children,

Recognizing that the prevention and solution of certain aspects of this phenomenon could also be facilitated in the context of economic and social development,

1. Expresses grave concern at the continued growth in the number of incidents worldwide and at reports of street children being involved in or affected by serious crime, drug abuse, violence and prostitution;

2. Urges Governments to continue actively to seek comprehensive solutions to tackle the problems of street children and to take measures to restore their

full participation in society and to provide, inter alia, adequate nutrition, shelter, health care and education;

3. Strongly urges Governments to respect fundamental human rights, particularly the right to life, and to take urgent measures to prevent the killing of street children and to combat torture and violence against street children;

4. Emphasizes that strict compliance with the provisions of the Convention on the Rights of the Child 30/ constitutes a significant step towards solving the problems of street children, and calls upon all States that have not done so to become parties to the Convention as a matter of priority;

5. Calls upon the international community to support, through effective international cooperation, the efforts of States to improve the situation of street children, and encourages States parties to the Convention on the Rights of the Child, in preparing their reports to the Committee on the Rights of the Child, to bear this problem in mind and to consider requesting, or indicating their need for, technical advice and assistance for initiatives aimed at improving the situation of street children, in accordance with article 45 of the Convention;

6. Reiterates the invitation to the Committee on the Rights of the Child to consider the possibility of a general comment on street children;

7. Recommends that the Committee on the Rights of the Child and other relevant treaty-monitoring bodies bear this growing problem in mind when examining reports from States parties;

8. Invites Governments, United Nations bodies and organizations and intergovernmental and non-governmental organizations to cooperate and to ensure greater awareness and more effective action to solve the problem of street children by, among other measures, supporting development projects that can have a positive impact on the situation of street children;

9. Calls upon special rapporteurs, special representatives and working groups of the Commission on Human Rights and the Subcommission on the Prevention of Discrimination and Protection of Minorities, within their mandates, to pay particular attention to the plight of street children;

10. Decides to consider the question further at its forty-ninth session under the item entitled "Human rights questions".

DRAFT RESOLUTION XVIII

Human rights in the administration of justice

The General Assembly,

Recalling its resolution 46/120 of 17 December 1991,

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights 6/ and the relevant provisions of the International Covenant on Civil and Political Rights 7/ and its Optional Protocols, 31/ in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 32/ and in the International Convention on the Elimination of All Forms of Racial Discrimination, 33/

Mindful of the Convention on the Elimination of All Forms of Discrimination against Women, 34/ in particular of the obligation of States to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice, such as the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 35/ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 36/ and the safeguards guaranteeing protection of the rights of those facing the death penalty, 37/ as well as the Basic Principles on the Independence of the Judiciary, 38/ the Basic Principles on the Role of Lawyers, 39/ the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners, 38/ as well as the Code

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31/ See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

32/ Resolution 39/46, annex.

33/ Resolution 2106 A (XX), annex.

34/ Resolution 34/180, annex.

35/ Resolution 43/173, annex.

36/ Resolution 40/34, annex.

37/ See Official Records of the Economic and Social Council, 1984, Supplement No. 1 (E/1984/84), resolution 1984/50.

38/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.

39/ See Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

of Conduct for Law Enforcement Officials, 40/ the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 39/ the Standard Minimum Rules for the Treatment of Prisoners, 41/ the Basic Principles for the Treatment of Prisoners, 42/ the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, 43/ the Guidelines on the Role of Prosecutors, 44/ the United Nations Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules), 45/ the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), 46/ the Model Treaty on the Transfer of Proceedings in Criminal Matters 47/ and the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released, 48/

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearance,

Welcoming the important work of the Commission on Human Rights and of the Subcommission on Prevention of Discrimination and Protection of Minorities in the field of human rights in the administration of justice, in particular regarding the independence of the judiciary, the independence of judges and lawyers, the right to a fair trial, habeas corpus, human rights and states of emergency, the question of arbitrary detention, the human rights of juveniles in detention, the privatization of prisons and the question of the impunity of perpetrators of violations of human rights,

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40/ Resolution 34/169, annex.

41/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1).

42/ Resolution 45/111, annex.

43/ Resolution 45/113, annex.

44/ See Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. C, resolution 26.

45/ Resolution 45/110, annex.

46/ Resolution 40/33, annex.

47/ See Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. I, A, 12.

48/ See Official Records of the Economic and Social Council, 1990, Supplement No. 10 (E/1990/31).

Noting resolution 1993/39 of the Subcommission on Prevention of Discrimination and Protection of Minorities, entitled "Independence of the judiciary",

Welcoming Commission on Human Rights resolutions 1993/32 of 5 March 1993, entitled "The administration of justice and human rights", and 1993/41 of 5 March 1993, entitled "Human rights in the administration of justice",

Welcoming also the important work of the Commission on Crime Prevention and Criminal Justice in the field of human rights in the administration of justice, as reflected in section III of Economic and Social Council resolution 1993/34 of 27 July 1993,

Recognizing that the rule of law and the proper administration of justice are prerequisites for sustainable economic and social development,

Recognizing also the central role of the administration of justice in the promotion and protection of human rights,

Aware of the importance of national and regional intergovernmental human rights bodies and institutions in the promotion and protection of human rights,

Having considered the report of the Secretary-General on human rights in the administration of justice, 49/

Mindful of the recommendations relating to human rights in the administration of justice contained in the Vienna Declaration and Programme of Action 4/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

1. Takes note with appreciation of the report of the Secretary-General on human rights in the administration of justice; 49/

2. Reaffirms the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

3. Acknowledges that it is the primary responsibility of all Governments to promote and protect human rights;

4. Acknowledges also that the administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, are essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development;

5. Once again calls upon all States to pay due attention to United Nations norms and standards on human rights in the administration of justice in developing national and regional strategies for their practical implementation

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49/ A/48/575.

and to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as for adequate financial resources to ensure more effective implementation of these norms and standards;

6. Appeals to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal-aid services with a view to the promotion and protection of human rights;

7. Urges the Secretary-General to consider favourably requests for assistance by States in the field of the administration of justice within the framework of the United Nations programme of advisory services and technical cooperation in the field of human rights, and to strengthen coordination of activities in this field;

8. Strongly recommends, in this context, that the establishment of a comprehensive programme within the system of advisory services and technical assistance be considered in order to help States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law; such a programme should provide, upon the request of the interested Governments, technical and financial assistance to national projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the good functioning of the rule of law;

9. Acknowledges that institutions concerned with the administration of justice should be properly funded, and an increased level of both technical and financial assistance should be provided by the international community;

10. Appeals to the international community to provide assistance, at the request of the Governments concerned, for the provision of legal-aid services with a view to ensuring the promotion, protection and full enjoyment of human rights;

11. Invites the international community to respond favourably to requests for financial and technical assistance made by institutions concerned with the promotion and protection of human rights, with a view to enhancing and strengthening their national capacities to promote and protect human rights consistent with the standards set forth in international and other human rights instruments;

12. Acknowledges the important role of the regional commissions, specialized agencies and United Nations institutes in the area of human rights and crime prevention and criminal justice, and of other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field;

13. Invites the Commission on Crime Prevention and Criminal Justice to pay particular attention to questions relating to the administration of justice, with special emphasis on the effective implementation of norms and standards;

14. Decides to consider the question of human rights in the administration of justice at its fiftieth session under the item entitled "Human rights questions".

DRAFT RESOLUTION XIX

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Recalling its resolution 47/135 of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Conscious of the need effectively to promote and protect the rights of persons belonging to minorities as set out in the Declaration,

Noting the importance of an even more effective implementation of international human rights instruments with regard to the rights of all persons, including those belonging to national or ethnic, religious and linguistic minorities,

Welcoming Commission on Human Rights resolution 1993/24 of 5 March 1993 on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Noting that resolutions 1993/42 and 1993/43 adopted by the Subcommission on Prevention of Discrimination and Protection of Minorities on 26 August 1993 are to be considered by the Commission on Human Rights at its fiftieth session,

Aware of the provisions of article 27 of the International Covenant on Civil and Political Rights 7/ concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, inter alia, taking due account of the Declaration,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries, and their often tragic consequences,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace, and enrich the cultural heritage of society as a whole of the States in which such persons live,

Reaffirming the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Welcoming initiatives aiming at disseminating information on the Declaration and at promoting understanding thereof,

Having considered the report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, 50/

Mindful of the recommendations contained in part II, paragraphs 25 to 27, of the Vienna Declaration and Programme of Action 4/ adopted unanimously by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

1. Takes note of the report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities; 50/

2. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities as set out in the Declaration, including through the facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country;

3. Calls upon the Commission on Human Rights to examine ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration;

4. Calls upon the Secretary-General to provide through the Centre for Human Rights, at the request of Governments concerned and as part of the programme of advisory services and technical assistance of the Centre, qualified expertise on minority issues and human rights, as well as on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

5. Appeals to States to take all the necessary legislative and other measures to promote and give effect, as appropriate, to the principles of the Declaration;

6. Appeals also to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries in accordance with the Declaration;

50/ A/48/509 and Corr.1 and Add.1 and Add.1/Corr.1.

7. Urges all treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to give due regard to the promotion and protection of the rights of persons belonging to minorities, as set forth in the Declaration, as appropriate, within their mandates;

8. Encourages intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

9. Invites the Secretary-General to continue the dissemination of information on the Declaration and the promotion of understanding thereof, including, as appropriate, in the context of the training of United Nations personnel;

10. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution under the item entitled "Human rights questions".

DRAFT RESOLUTION XX

Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Noting that the report of the Secretary-General entitled "An Agenda for Peace" 51/ identifies the protection of human rights as an important element of peace, security and economic well-being, and highlights the importance of preventive diplomacy,

Deeply disturbed by the increasing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

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51/ A/47/277-S/24111.

Stressing the need for strengthening international cooperation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Reaffirming its resolution 41/70 of 3 December 1986, in which it endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees,

Recalling its resolution 46/127 of 17 December 1991 and Commission on Human Rights resolution 1993/70 of 10 March 1993, 9/ as well as all previous relevant resolutions of the General Assembly and the Commission,

Noting that the Secretary-General, in his report on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, 52/ states that in complex emergencies, humanitarian assistance is essential but must be complemented by measures to address the root causes of such emergencies, and that the establishment of the inter-agency consultation on early warning serves the purposes of both prevention and preparedness,

Noting also that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between the observance of human rights standards, refugee movements and problems of protection,

1. Recalls its endorsement, in its resolution 41/70, of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including, inter alia, the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language;

2. Once again invites all Governments and intergovernmental and humanitarian organizations concerned to intensify their cooperation with and assistance to worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

3. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights and humanitarian law, as this would contribute to averting new massive flows of refugees and displaced persons;

4. Requests all United Nations bodies, including the United Nations human rights treaty bodies, the specialized agencies and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and, in particular, to provide them with all relevant and accurate information in their possession on the human rights

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52/ A/47/595.

situations creating or affecting refugees and displaced persons within their mandates;

5. Welcomes the recommendation in Commission on Human Rights resolution 1993/70 that special rapporteurs, special representatives and working groups studying situations of violation of human rights pay attention to problems resulting in mass exoduses of populations and, where appropriate, report and make relevant recommendations to the Commission;

6. Notes that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between the observance of human rights standards, refugee movements, problems of protection and solutions;

7. Welcomes the contributions of the High Commissioner to the deliberations of international human rights bodies, and encourages her to seek ways to make these contributions even more effective;

8. Also welcomes the statement made by the High Commissioner at the forty-ninth session of the Commission on Human Rights, on 3 March 1993, in which she emphasized the need for early response by the international community to human rights situations that threaten to generate refugees and displaced persons, or which impede their voluntary return;

9. Encourages States that have not already done so to accede to the 1951 Convention relating to the Status of Refugees 53/ and the Protocol thereto of 1967; 54/

10. Takes note with appreciation of the emphasis placed by the Secretary-General in his report to the General Assembly at its forty-seventh session on the need to develop the capacity of the United Nations for early warning and preventive diplomacy to help deter humanitarian crises; 55/

11. Reiterates, in this regard, its previous resolutions on the question of human rights and mass exoduses, and requests the Secretary-General, in the further development of the capacity of the Secretariat for early warning and preventive diplomacy, to pay particular attention to international cooperation to avert new flows of refugees;

12. Notes, in this connection, that mass movements of populations are caused by multiple and complex factors, which indicates that early warning requires an intersectoral and multidisciplinary approach;

13. Encourages the Secretary-General especially to continue to discharge the task described in the report of the Group of Governmental Experts on

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53/ United Nations, Treaty Series, vol. 189, No. 2545.

54/ Ibid., vol. 606, No. 8791.

55/ A/47/595.

International Cooperation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows, and to implement the recommendations of the Joint Inspection Unit contained in its report on the coordination of activities related to early warning of possible refugee flows; 56/

14. Urges the Secretary-General to attach high priority and to allocate the necessary resources from the regular budget of the United Nations to the consolidation and strengthening of the system for undertaking early-warning activities in the humanitarian area by, inter alia, the designation of the Department of Humanitarian Affairs as the focal point for early warning in this area and strengthened coordination between relevant offices of the Secretariat concerned with early warning and organizations of the United Nations system, for the purpose of ensuring, inter alia, that effective action is taken to identify human rights abuses that contribute to mass outflows or persons;

15. Welcomes the decision by the Administrative Committee on Coordination to establish a regular United Nations inter-agency early-warning consultation related to possible flows of refugees and displaced persons, based on the sharing and analysis of relevant information between United Nations bodies and the development of collective recommendations for action to alleviate, inter alia, the possible causes of new flows of refugees and displaced persons;

16. Also welcomes the decision by the Administrative Committee on Coordination to designate the Department of Humanitarian Affairs as the focal point of the United Nations inter-agency early-warning consultation;

17. Urges the Department of Humanitarian Affairs to take the necessary steps to function effectively as the focal point of the inter-agency early-warning consultation;

18. Urges all the bodies involved in the inter-agency consultation to cooperate fully in, and devote the necessary resources to, the successful operation of the consultation;

19. Invites the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons;

20. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the strengthened role that he is playing in undertaking early-warning activities, especially in the areas of human rights and humanitarian assistance, as well as on any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees and the recommendations of the Joint Inspection Unit; 56/

56/ A/45/649, annex.

21. Invites the Secretary-General to include in his report to the General Assembly at its fiftieth session detailed information on the programmatic, institutional, administrative, financial and managerial efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such outflows;

22. Decides to continue its consideration of the question of human rights and mass exoduses at its fiftieth session.

DRAFT RESOLUTION XXI

Human rights and scientific and technological progress

The General Assembly,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights, 6/ the International Covenant on Economic, Social and Cultural Rights, 7/ the International Covenant on Civil and Political Rights, 7/ and the Declaration on Social Progress and Development, 57/

Reaffirming the importance of its resolution 45/95 of 14 December 1990 by which it adopted guidelines for the regulation of computerized personnel data files, and its resolution 46/119 of 17 December 1991 by which it adopted the Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care,

Welcoming with satisfaction resolution 1993/91 of 10 March 1993 of the Commission on Human Rights entitled "Human rights and bioethics", and its decision 1993/113 of 10 March 1993 entitled "Question of the follow-up to the guidelines for the regulation of computerized personal files",

Welcoming the relevant paragraphs of the Vienna Declaration and Programme of Action, 4/

Aware that everyone had the right to enjoy the benefits of scientific progress and its applications,

Reaffirming the need to respect human rights and fundamental freedoms and the dignity of the human person in the conditions of scientific and technological progress,

Noting that certain advances, notably in the biomedical and life sciences as well as in information technology, may have potentially adverse consequences for the integrity, dignity and human rights of the individual, and that illicit

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57/ Resolution 2541 (XXIV).

dumping of toxic and dangerous substances and waste potentially constitutes a serious threat to the human rights, the life and health of every one,

Considering also that the human being is in the centre of social and economic development,

Conscious that modern science and technology give the possibility to create material conditions for the prosperity of society and for the thorough development of the human person,

Recognizing the need for international cooperation so that all mankind can benefit from the achievements of scientific and technological progress and that their use in favour of economic and social progress is to the benefit of all,

Convinced of the need to develop life science ethics both nationally and internationally,

1. Calls upon all Member States to ensure that the achievements of scientific and technological progress and the intellectual potential of mankind are used for promoting and encouraging universal respect for human rights and fundamental freedoms;

2. Also calls upon Member States to take the necessary measures to ensure that the results of science and technology are used only for the benefit of the human being and do not lead to the disturbance of the ecological environment, that is, inter alia, measures against the illicit dumping of toxic and dangerous products and waste;

3. Emphasizes the fact that many advances in scientific knowledge and technology in health, education, housing and other social spheres should be readily available to the populations as the heritage of humanity, with a view to sustainable development, taking into account the need to protect intellectual property rights;

4. Requests the specialized agencies and other United Nations bodies to inform the Secretary-General of the activities and programmes carried out to ensure development of life and technical sciences respectful of human rights, in order to contribute to the reports of the Secretary-General requested in resolution 1993/91 and decision 1993/113 of the Commission on Human Rights;

5. Decides to consider the question of human rights and scientific and technological progress at its fiftieth session under the item entitled "Human rights questions".